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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,531	07/26/2000	John G Posa	VID-01202/29	7887

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EXAMINER

ORGAD, EDAN

ART UNIT PAPER NUMBER

2684

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/625,531

Applicant(s)

POSA ET AL.

Examiner

Edan Orgad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS; WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Response to Arguments***

Applicant's arguments, see appeal brief filed 7/19/04, with respect to the rejection of claims 8-17 have been fully considered by the Board of Patent Appeals and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Gidwani (US Patent # 6,640,239).

Regarding claim 8, Gidwani teaches a telecommunications apparatus (figure 13), comprising: a base unit (element 776), including an interface (element 142, IP router) to a telecommunications network (UIP client 786 is connected to internet 158); at least one wireless remote microphone (element 764, wireless microphone) in wireless communication with the base unit (col. 40, lines 41-47), enabling a user of the microphone to speak to a listener through the base unit and telecommunications network (col. 39, line 65-col. 40, line 6); and wherein the base unit forms part of a video teleconferencing system including a video camera (element 762 is a camera input, inherently for a camera, specifically since a camera is required for video conferencing, col. 39, line 65- col. 40, line 6) for capturing images of the user for transmission to the

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listener through the telecommunications network (col. 39, line 65-col. 40, line 6 & col. 40, lines 35-64).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-12 & 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US Patent # 6,640,239) in view of Chang et al (US Patent # 6,469,732).

Regarding claim 9, Gidwani teaches an apparatus for use in a teleconferencing conversation utilizing a wireless microphone (col. 40, lines 35-52) but fails to specifically disclose the remote microphone re-transmits the wireless signal to the base unit, enabling the base unit to determine a positional aspect of the user of the microphone.

In related art of video teleconferencing, Chang discloses a system where video conferencing provides accurate determination of the position of the speaking participants (see abstract) as well as positioning aspects (col. 2, lines 1-14)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include Chang's well known video conferencing system with Gidwani's already existing remote microphone video communication system in order to provide Gidwani with a camera that is capable of automatically steering itself to the user thereby allowing the user further mobility.

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Regarding claims 10-12, Gidwani as modified by Chang teaches a pan or tilt mount associated with the video camera which is controlled as a function of the positional aspect, an auto-focusing capability for the video camera which is controlled as a function of the positional aspect and a zoom lens associated with the video camera which is controlled as a function of the positional aspect (see Chang, col. 2, lines 1-14 & 59-60).

Regarding claim 14, Gidwani teaches an apparatus for use in a teleconferencing conversation utilizing a wireless microphone (col. 40, lines 35-52) but fails to specifically disclose the remote microphone re-transmits the wireless signal to the base unit, enabling the base unit to determine a positional aspect of the user of the microphone.

In related art of video teleconferencing, Chang discloses a system where video conferencing provides accurate determination of the position of the speaking participants (see abstract) as well as positioning aspects (col. 2, lines 1-14)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include Chang's well known video conferencing system with Gidwani's already existing remote microphone video communication system in order to provide Gidwani with a camera that is capable of automatically steering itself to the user thereby allowing the user further mobility.

Regarding claim 15, Gidwani as modified by Chang teaches a pan, tilt, and zoom capability associated with the video camera which is controlled as function of the positional aspect of each user, enabling the camera to selectively frame the image of one or more users for transmission through the telecommunications network (see Chang, col. 2, lines 59-60 & col. 5, lines 17-61).

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Regarding claim 16, Gidwani as modified by Chang teaches a pan, tilt, and zoom capability associated with the video camera (see Chang, col. 2, lines 59-60 & col. 5, lines 17-61) but fail to specifically disclose the pan, tilt, or zoom capabilities are effectuated by selecting a subset of pixels from a larger number of pixels in an image gathered by the camera. However, official notice is taken that it is notoriously well known in the art of video to select a subset of pixels from a larger number of pixels in an image gathered by the camera to effectuate the pan, tilt or zoom capabilities. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a subset of pixels from a larger number of pixels in an image gathering by the camera in order to allow for a clearer picture.

Regarding claim 17, Gidwani as modified by Chang teaches an auto-focusing capability for the video camera which is controlled as a function of the positional aspect of each user, enabling the camera to control depth-of-field associated with one or more users (see Chang, col. 5, lines 17-61 & col. 7, lines 18-25).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over (US Patent # 6,640,239) in view of Murphy (US Patent # 6,564,380).

Regarding claim 13, Gidwani teaches an apparatus for use in a teleconferencing conversation utilizing a wireless microphone (col. 40, lines 35-52) but fails to specifically disclose a plurality of remote microphones, each transmitting a wireless audio signal to the base unit.

In related art of video conferencing over the Internet, Murphy discloses an apparatus for video conferencing (figure 2) comprising a plurality of wireless

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microphones (element 212) for sending their output to a wireless audio processor (element 210) to be used in a teleconference video conversation (figure 2, col. 7, line 46-col. 8, line 14)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a Murphy's multiple wireless microphone for a video conference conversation over the internet with Gidwani's existing wireless remote microphone video communication system in order to provide Gidwani with the ability to have more than one user communicate clearly in a conference call.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 571-272-7884. The examiner can normally be reached Monday thru Friday, 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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PATENT EXAMINER/TELECOMM.

E.O. 12/1/05